

APPLICATION 1503-VS-04OFFICE
USE ONLYDOCKET #: 1503-VU-04

FILING DATE: _____

FILING FEE: \$ 600 FEE PLUS \$ _____ PER ADDITIONAL VARIANCE (@ _____) = \$ _____

PRE-FILING CONFERENCE

PRE-FILING CONFERENCE WITH: Kevin Todd (STAFF NAME) DATE: 2/10/15

PRIOR OR RELATED DOCKET NUMBERS

CHANGE OF ZONING: _____ AMENDMENTS: _____ DEVELOPMENT PLAN: _____

PRIMARY PLAT: _____ SECONDARY PLAT: _____ VARIANCE(S): _____

APPLICANT INFORMATION

APPLICANT'S NAME: Scott Wolf TELEPHONE: 317-371-3046ADDRESS: 15672 E. 146th St. Noblesville IN 46062 EMAIL: scott@wolfiesgrill.comPROPERTY OWNER'S NAME: Dr. Jack Miller TELEPHONE: 317-710-1552ADDRESS: Resid. 2704 W. 146th St Westfield IN 46074 EMAIL: JACK.miller500@aol.comREPRESENTATIVE'S NAME: Beth Hodgkin TELEPHONE: 317-281-1873COMPANY: Wolfe's Grill EMAIL: bhodgin@wolfe'sgrill.comADDRESS: 20275 Dayspring Ct Noblesville IN 46062

PROPERTY AND PROJECT INFORMATION

ADDRESS OR PROPERTY LOCATION: 131 W. Main St. Westfield, IN 46074COUNTY PARCEL ID #(S): 09-09-01-02-04-044, 000EXISTING ZONING DISTRICT(S): LB-H EXISTING LAND USE(S): Vacant lot

VARIANCE REQUEST

☒ VARIANCE OF LAND USE CODE CITATION: Article 4.15, B.☒ VARIANCE OF DEVELOPMENT STANDARD(S) CODE CITATION: see attached

FINDINGS OF FACT: (PLEASE SEE ATTACHED)

STATEMENT OF INTENT (EXPLANATION OF REQUEST - ATTACH SEPARATE SHEET IF NECESSARY):

The intent is to install a parking lot for the patrons, guests and employees for the planned restaurant at 317 main StreetIt is understood that the parking lot may be temporary prior to any re-development the city may have planned for permanent parking.

- Variances of Development Standard:
 - Landscaping – request that the landscaping requirements not apply (Article 6.8)
 - Parking Surfacing and Curbs – request that the parking area not be required to be paved (Article 6.14, G (7) (a))
 - Parking Surfacing and Curbs – request that the parking area not be required to be curbed (Article 6.14, G (7) (b))
 - Perimeter/External Pedestrian Network Standards – request that these standards to not apply (Article 8.7, D)
 - Street and Right-of-Way Standards – request that these standards do not apply (Article 8.9)
 - Development Plan Review approval authority – request to delegate all Development Plan approvals to the Economic and Community Development Department Staff (Article 10.7, D)

APPLICANT AFFIDAVIT

IN WITNESS WHEREOF, the undersigned, having duly sworn, upon oath says that above information is true and correct as he/she is informed and believes and that Applicant owns or controls the property involved in this application.

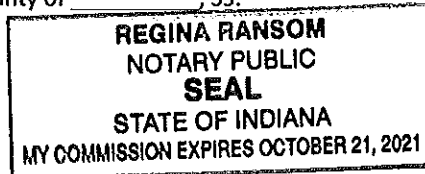
[Signature]
Applicant/Representative (signature)

Beth Hodgson
Applicant/Representative (printed)

Before me the undersigned, a Notary Public in and for said County and State, personally appeared the above party, who having been duly sworn acknowledged the execution of the foregoing Application.

Witness my hand and Notarial Seal this 13 day of Feb, 2015

State of IN, County of Hamilton, SS:



[Signature]
Notary Public Signature

Regina Ransom
Notary Public (printed)

PROPERTY OWNER AFFIDAVIT

IN WITNESS WHEREOF, the undersigned, having duly sworn, upon oath says they are the owners of the property involved in this application and that they hereby acknowledge and consent to the foregoing Application.

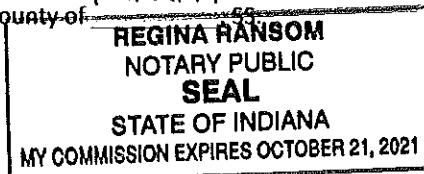
[Signature]
Property Owner (signature)*

JACK MILLER
Property Owner (printed)

Before me the undersigned, a Notary Public in and for said County and State, personally appeared the Property Owner, who having been duly sworn acknowledged and consents to the execution of the foregoing Application.

Witness my hand and Notarial Seal this 13 day of Feb, 2015

State of IN, County of Hamilton, SS:



[Signature]
Notary Public Signature

Regina Ransom
Notary Public (printed)

*A signature from each party having interest in the property involved in this application is required. If the Property Owner's signature cannot be obtained on the application, then a notarized statement by each Property Owner acknowledging and consenting to the filing of this application is required with the application.

FINDINGS OF FACT (VARIANCE OF DEVELOPMENT STANDARD)

APPLICANT:

Scott Wolf

DOCKET #:

In taking action on a variance request, the Board of Zoning Appeals uses the following decision criteria to approve or deny a variance, as established by Indiana Code, and the Board may impose reasonable conditions as part of its approval. The applicant must address the criteria below (if multiple variances of development standard are being requested, then this sheet should be completed separately for each requested variance). A variance of land use may be approved by the Board of Zoning Appeals only upon a determination that the Board finds all of the following to be true:

A. The approval will not be injurious to the public health, safety, morals, and general welfare of the community because: it provides a safe parking area for all patrons guests & employees

B. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because: parking will be limited to one specific area

C. The strict application of the terms of the Ordinance will result in practical difficulties in the use of the property because: patrons, guests, and employees will be forced to park on the city streets inconveniencing neighbors and disrupting traffic patterns

FINDINGS OF FACT (VARIANCE OF USE)

APPLICANT: Scott Wolf

DOCKET #: _____

In taking action on a variance request, the Board of Zoning Appeals uses the following decision criteria to approve or deny a variance, as established by Indiana Code, and the Board may impose reasonable conditions as part of its approval. The applicant must address the criteria below. A variance of land use may be approved by the Board of Zoning Appeals only upon a determination that the Board finds all of the following to be true:

- A. The use will not be injurious to the public health, safety, morals, and general welfare of the community because: it provides a safe parking area for all patrons, guests and employees
- B. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because: parking will be limited to one specific area
- C. The need for the variance arises from some condition particular to the property involved because: there is not adequate parking available for patrons, guests and employees
- D. The strict application of the terms of the Ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought because: patrons, guests and employees will be forced to park on the city streets inconveniencing neighbors and disrupting traffic patterns
- E. The variance of use does not interfere substantially with the Comprehensive Plan because: _____